

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING HELD ON JANUARY 29, 2007
(Approved February 26, 2007)

The Board of Supervisors held a Special meeting on Monday, January 29, 2007. Present for the meeting were supervisors W. Atlee Rinehart, Robert Preston, Tim Roland and Rosemarie C. Miller. Supervisor Jay Doering was absent. Also present was Township Manager Casey LaLonde. Mr. Rinehart called the meeting to order at 7:00 p.m.

1. PUBLIC COMMENT

There was no public comment.

2. PHASE II SEWER PROJECT

Mr. Preston made a motion to approve Resolution 2007-05, setting the Township's tapping fee at \$6,797. Mr. Roland seconded the motion. A roll call vote was taken: Roland, yea; Rinehart, yea; Preston, yea; Miller, yea. The motion carried 4-0-0.

Brad Remig of Public Financial Management presented Ordinance # 139 and the proposal from Commerce Bank in the amount of \$7,825,000. Mr. Remig stated that the loan is a construction loan, meaning the loan will be drawn down over the life of the project. The interest rate is established at 4.23 % for the first five years. The loan is prepayable at any time.

Mr. Preston made a motion to authorize the Chairman of the Board of Supervisors to sign the appropriate documents regarding the Commerce Bank proposal. Mrs. Miller seconded the motion. A roll call vote was taken: Roland, yea; Rinehart, yea; Preston, yea; Miller, yea. The motion carried 4-0-0.

Mr. Roland made a motion to adopt Ordinance # 139. Mrs. Miller seconded the motion. A roll call vote was taken: Roland, yea; Rinehart, yea; Preston, yea; Miller, yea. The motion carried 4-0-0.

Public comment on the Phase II Sewer Project was taken at this point in the meeting.

Mark Fogal, 1911 E. Cedarville Road, asked if these votes were the last obstacles for the Phase II Sewer Project. Mr. Preston responded that the Township needs to secure easements for Buckwalter Road, Harley Road and Tisa Lane. Bid award must be made by 3/8/07 and the easements may affect the project's overall price.

Robert Brant, attorney representing Michelle and Gabriel Serbin, 2600 E. Cedarville Road, stated that the adverse consequences to the easement proposed on the Serbin property are value and the aesthetic loss of trees. He stated he does not intend to stop the project and wants to work with the Township. Mr. Rinehart stated that the Township is facing a strict schedule and may be forced to eliminate specific portions of the project. Mr. Preston recommends that if the easements are not granted prior to the award of the construction contract, those portions of the project affected by the easements should be eliminated. Mr.

Preston further recommended that if Mr. Brant's client was so inclined, they could sign a Memorandum of Understanding to enter the property to begin construction. Mr. Preston stated that all trees removed in the temporary easement area be replaced on a 1 to 1 basis, with this item to be included in the proposed Memorandum of Understanding.

Mr. Brant stated that the Board has two options, eliminate the Buckwalter Road portion of the project, or condemnation. Mr. Brant stated that he just wants the value for his client, not to stop the project. Mr. Preston responded that as long as the Township Solicitor and Mr. Brant can legally agree on the property appraisals, the project can move forward.

By consensus, the Board of Supervisors authorizes the Township Solicitor to speak with Mr. Brant on the proposed easements.

Gail Brown, 500 Sanatoga Road, asked if the Township must eliminate certain portions of the project if easements are not granted. Mr. Preston makes a motion to investigate why the easements were not granted in a timely fashion. Mrs. Miller seconds the motion. The motion fails with a vote of 2-2-0 with Rinehart and Roland voting no. Mr. Preston amends the motion to state, "investigate and move forward with easements." Mr. Roland seconds the motion. The motion carries 4-0-0.

Fred Martin, 2532 E. Cedarville Road, asked if this project is serving his address at 2532 E. Cedarville Road? If it is, may he tie into the public sewer system? Mr. Preston responded that Mr. Martin may tie in anytime the sewer line is available and he prefers a gravity line to a grinder pump.

Mr. Martin expressed his issue with the proposed easement, specifically that he wants to log the temporary and permanent easement area prior to construction. There was a general consensus of the Board of Supervisors that they did not have a problem with the property owner logging the property prior to the project start. They directed EDM Consultants, the Township's Engineer on the project, to stake out the temporary and permanent easement area for Mr. Martin.

Doug McLean, 150 Buckwalter Road, asked if the construction contractor shall replace his driveway, as the proposed easement and subsequent construction will demolish his driveway and existing storm water piping. Mr. Preston responded that all property shall be replaced as before the project began. Mr. McLean asked about his shed that is inside the easement area. Mr. Preston responded that the shed shall be replaced if damaged by the contractor. Mr. McLean asked that his tapping fee be waived. Mr. Preston responded that all easement grantors must be treated equally, therefore the Board cannot grant the request. Mr. McLean stated that he is also interested in logging his proposed easement area and will speak with Mr. Martin.

Mr. Martin asked when his easement will be marked out by the Engineer. Mr. Preston stated that all easements shall be marked out following bid award. Bid award must occur by March 8, 2007.

Mrs. Miller made a motion to have the entire Board of Supervisors sign the North Coventry Municipal Authority project approval letter. Mrs. Miller then read the letter aloud. Mr. Roland seconded the motion. The motion carried 4-0-0.

Mr. Preston stated that the Board shall discuss the MS4 Year 3 report from the Pennsylvania Department of Environmental Protection at the next available meeting.

Gail Brown, 500 Sanatoga Road asked if the 2/5/07 Board meeting agenda shall be updated. The Township Manager responded yes.

3. NOMINATION OF ASSISTANT TOWNSHIP SECRETARY

Mr. Rinehart made a motion to appoint Tim Roland as the Assistant Township Secretary. Mrs. Miller seconded the motion. The motion carried 4-0-0.

4. ADJOURNMENT

Mr. Roland made a motion to adjourn at 8:03 p.m. Mrs. Miller seconded the motion. The motion carried 4-0-0.

Respectfully submitted,

John Doering, Jr., Secretary